

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/700,788	BEASLEY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Erika A. Gary	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 2/27/07.
2.  The allowed claim(s) is/are 1-4,6-8,10-20,22,24,42-44 and 46.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

### **DETAILED ACTION**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Christopher Daley-Watson (Reg. No. 34,807) on March 13, 2007.

### **EXAMINER'S AMENDMENT**

2. The application has been amended as follows:

#### **In the Claims:**

**Claim 4 (Currently Amended):** A method of creating a list of neighboring base station units in a wireless communications network, wherein at least one mobile unit communicates with at least a portion of the network, the method of creating the list of neighboring base station units comprising:

at a stationary base station unit in the communications network, wirelessly sending at least one inquiry signal to neighboring wireless devices, using a low power class capability and a high power class capability to inquire whether wireless devices are within a near communications range and a far communications range, respectively;

at the stationary base station unit in the communications network, wirelessly receiving at least one response signal from at least one neighboring base station unit in

the communications network, wherein the one neighboring base station unit is stationary;

at the stationary base station unit in the communications network, identifying the one neighboring base station unit based in part on the received response signal, wherein identifying the at least one neighboring base station unit is done without involvement of the mobile unit and without involvement of a system controller for the communications network; and

at the stationary base station unit in the communications network, providing a stored neighbor list that identifies the one neighboring base station unit in the communications network;

wherein the base station unit and the neighboring base station unit are both Bluetooth enabled base station units;

wherein sending at least one inquiry signal includes wirelessly sending a Bluetooth inquiry signal with respect to at least two different power classes;

wherein identifying the one neighboring base station unit includes employing a Bluetooth service discovery protocol to identify two or more neighboring base station units; and

wherein providing a stored neighbor list includes locally storing a list categorizing the identified neighboring base station units into at least two different categories based on the two different power classes.

**Claim 20:** on line 1, after "storage medium", please insert --encoded with a computer program--.

Please **CANCEL** claims 5, 29-36, and 38-41.

**(END OF AMENDMENT)**

3. The following is an examiner's statement of reasons for allowance:

***Allowable Subject Matter***

4. Claims 1-4, 6-8, 10-20, 22, 24, 42-44, and 46 are allowed based on Applicant's arguments filed after final rejection and the current examiner's amendment.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 571-272-7841. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EAG  
March 14, 2007



ERIKA A. GARY  
PRIMARY EXAMINER